

Senate File 352 - Introduced

SENATE FILE 352

BY HATCH

A BILL FOR

1 An Act relating to employment discrimination on the basis of
2 sex.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216.6, subsection 1, paragraph a, Code
2 2013, is amended to read as follows:

3 a. Person to refuse to hire, accept, register, classify,
4 or refer for employment, to discharge any employee, or to
5 otherwise discriminate in employment against any applicant
6 for employment or any employee because of the age, race,
7 creed, color, sex, sexual orientation, gender identity,
8 national origin, religion, or disability of such applicant or
9 employee, unless based upon the nature of the occupation. If a
10 person with a disability is qualified to perform a particular
11 occupation, by reason of training or experience, the nature
12 of that occupation shall not be the basis for exception to
13 the unfair or discriminating practices prohibited by this
14 subsection. For purposes of this paragraph, "because of the
15 sex of such applicant or employee" includes actions taken by
16 an employer because of the employer's physical attraction
17 to or personal feelings toward an employee or applicant for
18 employment that would not occur but for the employee's or
19 applicant's sex.

20 Sec. 2. Section 216.6A, subsection 2, Code 2013, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. c. For purposes of this subsection,
23 "because of the sex of such employee" includes actions taken
24 by an employer because of the employer's physical attraction
25 to or personal feelings toward an employee or applicant for
26 employment that would not occur but for the employee's or
27 applicant's sex.

28 EXPLANATION

29 This bill provides that employment discrimination on
30 the basis of sex under the Iowa Civil Rights Act includes
31 adverse employment action taken by an employer because of the
32 employer's physical attraction to or personal feelings toward
33 an employee or applicant for employment that would not occur
34 but for the employee's or applicant's sex.